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COMMONWEALTH OF VIRGINIA, ex rel.

**OLIVER D. RUDY, TRUSTEE OF
THE FINE CREEK LAND TRUST**

and

CASE NO. PUE010473

**THE REED'S LANDING CORPORATION,
Complainants**

v.

**SOUTHSIDE ELECTRIC COOPERATIVE,
Defendants.**

**To seek sanctions for alleged abuse of authority
granted under § 56-49 of the Code of Virginia**

HEARING EXAMINER'S RULING

September 17, 2001

On August 24, 2001, Oliver D. Rudy, Trustee of the Fine Creek Land Trust, and the Reed's Landing Corporation ("Petitioners") filed a Petition with the Commission requesting that the Commission, pursuant to § 56-35 of the Code of Virginia, find that Southside Electric Cooperative ("Southside" or "the Cooperative") has abused the powers granted to it pursuant to Va. Code § 56-49.

On September 5, 2001, the Commission issued an order which, among other things, docketed the Petition, assigned the matter to a Hearing Examiner, and established dates for the filing of the Cooperative's Answer to the Petition, and the parties' stipulation of the facts and issues upon which both parties agree and those upon which they do not agree.

I now find that a hearing date and further procedural schedule should be established. Accordingly,

IT IS DIRECTED:

(1) That a public hearing is hereby scheduled for 10:00 a.m. on January 8, 2002, in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia, for the purpose of receiving evidence relevant to the issues in dispute;

(2) That, on or before November 27, 2001, the Petitioners shall file with Joel H. Peck, Clerk of the Commission, c/o Document Control Center, State Corporation Commission, P.O.

Box 2118, Richmond, Virginia 23218, an original and fifteen (15) copies of its prefiled testimony and exhibits and shall also serve a copy upon counsel for the Cooperative;

(3) That, on or before December 11, 2001, Southside Electric Cooperative shall file with the Commission an original and fifteen (15) copies of its prefiled testimony and exhibits and shall also serve a copy upon counsel for the Cooperative; and

(4) That, on or before December 18, 2001, the Petitioners shall file with the Commission an original and fifteen (15) copies of any rebuttal testimony and shall also serve a copy upon Southside Electric Cooperative.

Michael D. Thomas
Hearing Examiner